

*McMARTIN*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

----- )  
Arquest, Inc )

Plaintiff )

v. )

Kimberly-Clark Worldwide, Inc., )

Defendant )  
----- )

Case No. 07 CV 11202 (CM)

Jury Trial Demanded

**JOINT STIPULATION AND PROPOSED ORDER TO EXTEND THE JANUARY 3, 2008  
DUE DATE FOR K-C TO ANSWER OR OTHERWISE RESPOND TO THE  
COMPLAINT UNTIL FEBRUARY 4, 2008**

Plaintiff Arquest, Inc. ("Arquest"), by its attorneys, together with Defendant Kimberly-Clark Worldwide, Inc. ("K-C"), by its attorneys, hereby jointly stipulate to extend the date for K-C to answer or otherwise respond to Arquest's Complaint for Declaratory Judgment of Patent Non-Infringement, Invalidity, and Unenforceability (the "Complaint") until February 4, 2008. In support of this Joint Stipulation and Proposed Order, the parties state as follows:

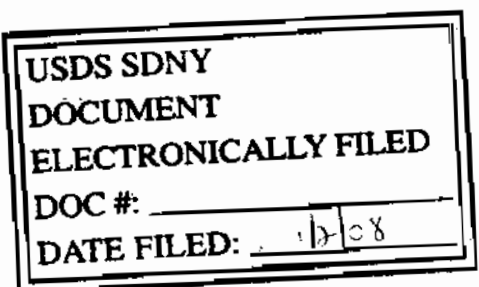
1 On December 12, 2007, Arquest filed the Complaint for Declaratory Judgment of Patent Non-Infringement, Invalidity, and Unenforceability in this case.

2 On December 14, 2007, Defendant K-C was served with the Summons and Complaint.

3 The current due date for K-C to Answer or otherwise respond to Arquest's Complaint is January 3, 2008.

4 No such similar relief has yet been sought from the Court in the case.

5 Prior to the filing of the Complaint, the parties were involved in extensive settlement discussions, and settlement discussions are currently ongoing.



6. In order to allow the parties time to further pursue settlement, and to save the resources of the Court, K-C and Arquest jointly stipulate and respectfully request that the Court extend the due date for K-C to answer or otherwise respond to the Complaint until February 4, 2008.

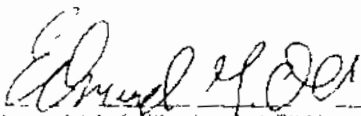
7. There is a concurrently pending action in the Northern District of Texas involving the same K-C patents and the same Arquest products where K-C is the plaintiff. The parties are also jointly seeking an extension of the response date in the concurrent action in the Northern District of Texas.

8. The filing of this Stipulation does not constitute a general appearance by Defendant in this action.

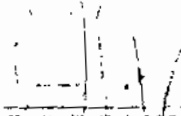
WHEREFORE, the parties jointly and respectfully request that the Court enter an order extending the date for K-C to answer or otherwise respond to February 4, 2008.

Dated: December 21, 2007

**AGREED AS TO FORM AND SUBSTANCE:**

  
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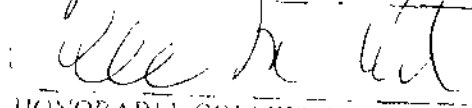
  
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**Attorneys for Defendant**  
Kimberly-Clark Worldwide, Inc.

SO ORDERED, this 2 day of Jan, 2007:

  
HONORABLE COLLEEN McMAHON  
UNITED STATES DISTRICT JUDGE